

Attorney Docket No. 7035-0003.03

PATENT

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Date of Deposit: August 4, 2003

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of POLITO et al.

Serial No.: CON of 09/638,668

Examiner: Unassigned

Confirmation No.:

Art Unit: Unassigned

Filed: On even date

For: METHOD AND APPARATUS FOR PERFORMING A LATERAL FLOW  
ASSAY

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Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §1.97(b)**

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56,  
Applicant(s) hereby submits the following information in conformance with 37 C.F.R.  
§§1.97 and 1.98.

- ☐ Pursuant to 37 C.F.R. §1.98, a copy of each document cited in the attached Form PTO/SB/08 is enclosed.
- ☒ No copies of the publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No. 09/638,668 to which the above-identified application claims priority under 35 U.S.C. §120.
- ☐ Publication(s) \_\_\_\_\_ listed on the attached Form PTO/SB/08A were cited in a foreign search or examination report corresponding to \_\_\_\_\_ application serial no. \_\_\_\_\_ and mailed on \_\_\_\_\_.
- ☐ Enclosed is a copy of a non-English publication(s) \_\_\_\_\_. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).

- ☐ Enclosed is a copy of a non-English publication(s) \_\_\_\_\_. English language publication \_\_\_\_ (copy enclosed) claims priority from this non-English publication.
- ☐ Enclosed is an explanation of non-English publication(s) \_\_\_\_\_ for which an English translation is not available.
- ☐ Enclosed is an English translation of non-English publication(s) \_\_\_\_\_ cited in the attached Form PTO/SB/08A.
- ☐ Enclosed is a copy of pending patent Application Serial No. \_\_\_\_\_.

This Information Disclosure Statement is filed with the herein continuation application.

It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

Dated: 8/4/03

Respectfully submitted,

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|---|---|----|---|--------------------------|-------------------|
| Substitute for form 1449A/PTO<br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br><i>(use as many sheets as necessary)</i> |   |    |   | <i>Complete if Known</i> |                   |
|   |   |    |   | Application Number       | CON of 09/638,668 |
|   |   |    |   | Filing Date              | On even date      |
|   |   |    |   | First Named Inventor     | POLITO            |
|   |   |    |   | Group Art Unit           | Unassigned        |
|   |   |    |   | Examiner Name            | Unassigned        |
| Sheet   | 1 | of | 1 | Attorney Docket Number   | 7035-0003.03      |

[illegible]

| FOREIGN PATENT DOCUMENTS |                          |                         |                     |                                      |  |  |                |
|--------------------------|--------------------------|-------------------------|---------------------|--------------------------------------|--|--|----------------|
| Examiner<br>Initials*    | Cite<br>No. <sup>1</sup> | Foreign Patent Document |                     |                                      | Name of Patentee or Applicant of Cited<br>Document | Date of Publication<br>of Cited Document<br>MM-DD-YYYY | T <sup>6</sup> |
|                          |                          | Office <sup>3</sup>     | Number <sup>4</sup> | Kind Code <sup>5</sup><br>(if known) |  |  |                |
|                          | B1                       | WO                      | 58/730              |                                      | IDEXX Laboratories, Inc.                           | 10-05-2000   |                |
|                          |                          |                         |                     |                                      |  |  |                |
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|-----------------------|--|--------------------|--|
| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|

<sup>1</sup> Unique citation designation number.

<sup>2</sup> See attached Kinds of U.S. Patent Documents.

<sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

<sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

<sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.